

Attorney Docket No. MP/138A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Applicant : Armstrong
 Appl. No. : 10/083,451
 Filed : February 25, 2002
 Title : Method of Producing Low Profile Stent and Graft Combination

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Art Unit : 3731
 Examiner : Bui, Vy Q

Commissioner For Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

REPLY TO RESTRICTION REQUIREMENT AND ELECTION OF SPECIES

Sir:

In the Office Action of July 8, 2004, the Office requested a restriction to one of the following inventions:

- I. Independent Claims 1 and 11
- II. Independent Claims 22 and 37.

Applicants hereby elect the invention of Group I with traverse. The election is made with traverse on the grounds that the inventive elements are not properly parsed in the above two Group designations. Independent claim 1 defines a method of compacting an endoprosthesis that includes steps causing the endoprosthesis to be compacted multiple times (i.e., "passing the endoprosthesis through the at least one tapered die at least one additional time."). A similar limitation is found in independent claims 22 (i.e., "subsequently passing the endoprosthesis through the second tapered die") and 37 (i.e., "subsequently compacting the endoprosthesis to a third diameter smaller than the second diameter"). In this respect, it would appear that independent claims 1, 22, and 37 should be grouped together.

By contrast, independent claim 11 does not include a limitation for multiple compaction steps. Instead, claim 11 defines a method of compaction that includes using at least one tapered die "including multiple flutes and grooves therein." The fluted tapered die is used to cause "the endoprosthesis to fold into pleats in its compacted dimension." These limitations are not found in any of Independent claims 1, 22, or 37.

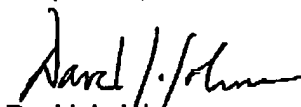
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Applicants wish to first proceed with examination of independent claim 11 and its dependent claims 12 through 21, which appear to constitute their own species of the present invention. Claim 1 is not generic to this species.

With the election of Group I, applicants withdraw claims 22 through 45 from further prosecution in this application. If the Office agrees that Claim 1 also should be grouped in Group II, then applicants likewise withdraw claims 1 through 10 from further prosecution in this application.

The above elections comply with all outstanding requirements in the current Office Action.

Respectfully submitted,



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